

## I. TITLE, PURPOSE, AND INTENT

### I.1 TITLE

This ordinance shall be known as the Zoning Ordinance of the City of Manitou Springs, Colorado, and may be so cited and pleaded.

### I.2 LEGAL AUTHORITY

This ordinance is authorized by Articles 59 and 60, of Chapter 139, Colorado Revised Statutes, 1963, as amended.

### I.3 PURPOSE

The purpose of this ordinance is to promote the health, safety, convenience, order, property aesthetics, environmental quality, and general welfare of the present and future inhabitants of Manitou Springs, Colorado, by:

I.3.a Encouraging the total planning of all land tracts and parcels consistent with the goals and objectives of the City's Comprehensive Plan.

I.3.b Encouraging innovative approaches to urban design and the sound application of proven design methods.

I.3.c Encouraging new buildings and new development to be, as much as possible, in keeping with the general existing characteristics of the area.

I.3.d Provide a flexible framework in which a variety of land uses might coexist harmoniously.

### I.4 CONSISTENCY WITH THE COMPREHENSIVE PLAN

No development shall be approved unless it is found to be in general accordance with the goals and objectives of the City of Manitou Springs as stated in the City's Comprehensive Plan, as from time to time amended.

### I.5 RELATIONSHIP TO SUBDIVISION REGULATIONS

The character of any piece of land on which a development is proposed may require that specifications for the width of streets, utility rights-of-way, etc., may vary from adopted standards.

Lot sizes and certain bulk requirements for different types of development are indicated in this ordinance, but other development standards shall be related to the subdivision regulations. The subdivision regulations shall be considered as minimum requirements for all development and may only be waived on the specific request of the developer.

All new subdivisions or resubdivisions shall be submitted under the subdivision regulations and shall be accompanied by the request for planning permission outlined in Article VI. Approval of a subdivision does not constitute planning permission for the development. The City of Manitou Springs development procedures are outlined in

## Appendix II.

### I.6 GENERAL INTENT

It is the intent of this ordinance that all new buildings, developments, redevelopments, or similar changes in the use of land except as herein provided be considered as planned uses and shall be subject to the provisions of this ordinance. The Planning Commission and City Council shall consider each development from the point of view of the relationship and compatibility of the development to the existing surrounding land use and the Comprehensive Plan. No development shall be approved that contains elements which, in the view of the Planning Commission and City Council, cannot, for any reason, exist compatibly or provide an environment of lasting stability and quality.

### I.7 VESTING OF RIGHTS

Vesting of the property rights described in Section 24-68-102(4) of the Colorado Revised Statutes shall occur upon the approval by the City Planning Commission and City Council of the Development Agreement described below. However, if such Agreement is not signed within 30 days of approval by City Council, such approval shall then be void and the vested property rights shall automatically divest.

The term "development agreement" is defined to mean the agreement between the developer and the City in which the developer's obligations concerning the property being developed, and the time for their performance and completion, are set forth. The development agreement shall establish the period of the vesting of the developer's rights, and it shall also provide that, in the event of a breach or default of the developer's obligations, such vested rights may, after notice and a hearing before City Council, be divested.

### I.8 BOUNDARIES AND ZONING MAP

The provisions of this ordinance shall apply within the corporate limits of the City of Manitou Springs, Colorado, as now or hereafter fixed. District boundaries are shown on a map, titled Official Zoning Map for the City of Manitou Springs, Colorado. Said map shall be considered as a part of this ordinance. Where uncertainty exists as to boundaries the following rules shall apply:

- a. The center line of streets or alleys shall be construed as boundaries.
- b. Property lot lines shall be construed as boundaries.
- c. Railroad or State of public utility rights-of-way shall be construed as boundaries.